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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,703	07/13/2001	Yoshiyuki Hirai	35.C15573	1348
5514	7590	10/05/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			GARCIA, GABRIEL I	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/903,703	HIRAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gabriel I. Garcia	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 November 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

### **Part III DETAILED ACTION**

1. This application has been examined, Claims 1-24 are pending in this application.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al. (U.S. Patent Number 5,418,630) in view of Nevo et al. (U.S. Patent Number 6,600,726).

Regarding claim 1, Mori discloses a communication system having an image input apparatus (image reader 3, seen in Figs. 1 and 3) and an image formation apparatus for communicating with the image input apparatus (main unit 2, seen in Figs. 1 and 2), the system comprising a wireless communication device which communicates between the image formation apparatus and the image input apparatus via a wireless line (see Fig. 5, column 2, lines 1-26, and column 9, line 50-column 10, line 42), a detection device which detects a predetermined operation by a user for instructing the image formation apparatus to perform a

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predetermined process on an image input by the image input apparatus (via operation section 25 or 40, column 8, line 8-column 10, line 42), and a release device which releases the wireless communication device in accordance with a detection result by the detection device (see Figs 6-11, column 10, line 43-column 13, line 29), and for controlling transmission of the image input by the image input apparatus in the changed mode to the image formation apparatus (column 10, line 43 - column 11, line 49, and column 12, lines 3-22). Mori teaches a power supply circuitry (26), but Mori does not teach a low power consumption state of the wireless communication device. However, Nevo teaches that it is well known in the art at the time of the invention to have a device which releases a low power consumption state of a wireless communication device. Mori & Nevo are combinable because they are from the same field of endeavor, being systems that perform a Wireless communication between a scanner and a host computer. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include Nevo's teachings of communicating of Mori. The suggestion/motivation for doing so would have been that Mori's system would have provide the power circuitry of Mori with the low power consumption state of Nevo because of the following reasons: 1) will allow the system of Mori to save

energy while the system is not receiving or sending information, and 2) in order to turn the system of Mori into an idle state when the system is not being operated. Therefore, it would have been obvious to combine the teachings of Nevo with the system of Mori to obtain the invention as specified in claims 11 and 22.

Regarding claim 2, the combination of Mori and Nevo disclose the system discussed above in claim 1, and further teaches of a selecting device which selects printing of the image input by the image input apparatus (operation sections 25 or 40, column 8, line 8-column 10, line 42), a command sending device which sends a command to request start of transmission of print data from the image input apparatus to the image formation apparatus, and a start device which starts to transmit an image stored in a memory of the image input apparatus to the image formation apparatus, in response to the command of the image formation apparatus (column 11, line 1-column 13, line 45).

Regarding claim 3, the combination of Mori and Nevo disclose the system discussed above in claim 1, and further teaches of a selecting device which selects transmission of the image input by the image input apparatus to a communication line connected to the image formation apparatus (operation sections 25 or 40, column 8, line 8-column 10, line 42), a command sending device which sends a command to request start of transmission data from

the image input apparatus to the image formation apparatus after the mode of the wireless communication device is changed by the control device, if transmission to the communication line is selected (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42), and a start device to transmit the image stored in a memory of the image input apparatus to the image formation apparatus in response to the command of the image formation apparatus (column 11, line 1-column 13, line 45).

Regarding claim 4, the combination of Mori and Nevo disclose the system discussed above in claim 1, and further teaches that the wireless communication device is operable to establish a wireless link through an initial connection procedure (column 2, lines 14-26, and column 13, line 60-column 14, line 5), and, in accordance with a predetermined condition, to change the mode to a low power consumption connection mode in which an initial connection procedure is not necessary (column 14, line 6 thru column 15, line 6).

Regarding claim 5, the combination of Mori and Nevo disclose the system discussed above in claims 4 and 1. 6).

Regarding claim 6, the combination of Mori and Nevo disclose the system discussed above in claim 1, and Mori further

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teaches that the image input apparatus is a portable scanner that can be detached from and attached to the image formation apparatus (column 13, lines 19-45).

Regarding claim 7, the combination of Mori and Nevo disclose the system discussed above in claim 1, and Mori further teaches that the control device is operable to change the mode in accordance with the predetermined operation and the mode of the wireless communicating device (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 8, the combination of Mori and Nevo disclose the system discussed above in claim 1, and Mori further teaches of the predetermined operation is an operation for outputting the image input by the image input apparatus by the image communication apparatus (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 9, the combination of Mori and Nevo disclose the system discussed above in claim 8, and Mori further teaches that the output includes at least one of print output and output to the communication line connected to the image formation apparatus (see Table 2, and column 9, line 50-column 10, line 68).

Regarding claim 10, the combination of Mori and Nevo disclose the system discussed above in claim 1, and Mori further teaches

that the control device is operable to change modes so that at least power consumption of the wireless communicating device is changed (see Table 2, column 9, line 50-column 10, line 68, and column 12, line 3-column 14, line 5, wherein power consumption is inherently changed in the various modes).

Regarding claims 11 and 22, Mori discloses the system and apparatus discussed above in claims 1 and 13, respectively, but fails to expressly disclose if the wireless communicating device is operable to perform communication based on the Bluetooth specification. Nevo discloses a communication system (see Fig. 1) having an image input apparatus and an image formation apparatus communicating with the image input apparatus (column 3, line 28-column 4, line 55), comprising wireless communication device which communicates between the image formation apparatus and the input image apparatus via a wireless line (column 4, lines 36-55). Further, Nevo teaches that the wireless communicating device is operable to perform communication based on the Bluetooth specification (column 4, lines 36-55).

Mori & Nevo are combinable because they are from the same field of endeavor, being systems that perform a Wireless communication between a scanner and a host computer. At the

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time of the invention, it would have been obvious to a person of ordinary skill in the art to include Nevo's teachings of communicating using the Bluetooth specification within the system of Mori. The suggestion/motivation for doing so would have been that Mori's system would conform with well-known standards, as recognized by Nevo in column 4, lines 36-55, thus being usable to more users. Therefore, it would have been obvious to combine the teachings of Nevo with the system of Mori to obtain the invention as specified in claims 11 and 22.

Regarding claims 12,13 and 23, the combination of Mori and Nevo disclose the system discussed above in claim 1.

Regarding claim 14, the combination of Mori and Nevo disclose the system discussed above in claim 1, and Mori further teaches of a selecting device which selects printing of the image input by the image input apparatus (operation section 40, column 8, line 39-column 10, line 42), a sending device which sends a command to request start of transmission of print data from the image input apparatus to the image formation apparatus, after the mode of the wireless communication device is changed by the control device, if printing is selected (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 15, the combination of Mori and Nevo disclose the apparatus discussed above in claim 1, and Mori further

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teaches of a selecting device which selects transmission of the image input by the image input apparatus to a communication line connected to the image formation apparatus (operation section 40, column 8, line 39-column 10, line 42), a sending device which sends a command to request start of transmission data from the image input apparatus to the image formation apparatus after the mode of the wireless communication device is changed by the control device, if transmission to the communication line is selected (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 16, the combination of Mori and Nevo disclose the apparatus discussed above in claim 13, and further teaches that the wireless communication device is operable to establish a wireless link through an initial connection procedure (column 2, lines 14-26, and column 13, line 60-column 14, line 5), and, in accordance with a predetermined condition, to change the mode to a low power consumption connection mode in which an initial connection procedure is not necessary (column 14, line 6-column 15, line 6).

Regarding claim 17, the combination of Mori and Nevo disclose the apparatus discussed above in claim 16, and Mori further teaches that if a given time passes after making the transition to the low power consumption connection mode, the wireless

communication device is operable to eliminate the low power consumption connection mode (column 14, line 6-column 15, line 6).

Regarding claim 18, the combination of Mori and Nevo disclose the apparatus discussed above in claim 13, and Mori further teaches that the changing device is operable to change the mode in accordance with the predetermined operation and the mode of the wireless communicating device (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 19, the combination of Mori and Nevo disclose the apparatus discussed above in claim 13, and Mori further teaches that the predetermined operation is an operation for outputting the image input by the image input apparatus by the image formation apparatus (see Table 2, column 9, line 50-column 10, line 68, and column 12, lines 3-42).

Regarding claim 20, the combination of Mori and Nevo disclose the apparatus discussed above in claim 19, and Mori further teaches that the output includes at least one of print output and output to the communication line connected to the image formation apparatus (see Table 2, and column 9, line 50-column 10, line 68).

Regarding claim 21, the combination of Mori and Nevo disclose the apparatus discussed above in claim 13, and Mori further

teaches that the changing device is operable to change modes so that at least power consumption of the wireless communicating device is changed (see Table 2, column 9, line 50- column 10, line 68, and column 12, line 3-column 14, line 5, wherein power consumption is inherently changed in the various modes).

Regarding claim 24, Mori discloses a storage medium (see Fig. 3, ROM 32) storing a computer program for controlling a processor to carry out a method of claim 23 taught by the combination of Mori and Nevo (see claims 1 and 13).

### ***Conclusion***

3. Applicant's arguments, see page 12 of the amendment, filed 9/30/05, with respect to the rejection(s) of claim(s) 1-24 under Mori'630 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mori'630 and Nevo'726).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is 571-273-8300.

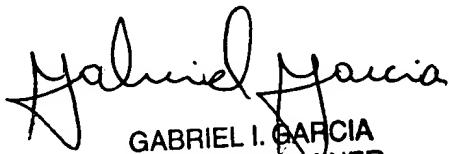
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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (**PAIR**) system Status information for published applications may be obtained from either Private **PAIR** or Public **PAIR**. Status information for unpublished applications is available through Private **PAIR** only. For more information about the **PAIR** system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private **PAIR** system, contact the Electronic Business Center (**EBC**) at 866-217-9197 (toll-free).

Gabriel I. Garcia  
Primary Examiner  
September 25, 2006

  
GABRIEL I. GARCIA  
PRIMARY EXAMINER